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COMMEMORATION OF THE FIFTIETH ANNIVERSARY
OF THE END OF THE SECOND WORLD WAR

Letter dated 22 August 1995 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

Upon instructions, I have the honour to transmit herewith the memorandum of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea published on the occasion of the fiftieth anniversary of the defeat of Japan in the Second World War.

I would be grateful if you could arrange to have the present letter and the memorandum circulated as a document of the General Assembly under item 36 of the provisional agenda.

(Signed) PAK Gil Yon
Permanent Representative

A/50/150.

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Annex*

MEMORANDUM OF THE MINISTRY OF FOREIGN AFFAIRS OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

DATED 13 AUGUST 1995

NOTHING CAN HELP JUSTIFY THE PAST AGGRESSION AND MILITARY OCCUPATION OF KOREA BY THE JAPANESE IMPERIALISTS

50 years have passed since the end of World War II which inflicted tremendous catastrophe and calamity, misfortunes and painful agony upon the Korean people and the rest of the mankind.

Correct assessment of the past history and derivation of lessons therefrom serve as the basis for a bright future of the mankind.

Japan, however, still remains reluctant to apologize for its acts of aggression, while trying to glorify and embellish the history of its aggression in disregard of the irrefutably stark facts of history.

The Ministry of Foreign Affairs of the Democratic People's Republic of Korea issues this Memorandum, thoroughly exposing the illegality and invalidity of aggression and occupation, the most fundamental and greatest crime among the crimes committed by the Japanese imperialists against our people in the past, and urging Japan to make a clean slate of its past crimes through its sincere apology and compensation.

I. The Japanese Imperialists Were the Aggressors and Occupationists of Korea.

The modern chapter of Japan's history is inseparably associated with its aggression on Korea.

Having embarked belatedly on the process of capitalist development in the wake of

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the "Meiji Restoration," Japan began to gear up full-scale aggression on Korea and other Asian nations, under the "conquest Korea theory" and the "doctrine of fukoku kyohei (a rich country and strong military)," with a view to making amends for its political and economic backwardness compared with the western powers and to "...recouping itself for the loss" caused by its "trade" with these powers.

The brigandish "conquest Korea theory," aimed at conquering Korea by force of arms, was a deep-rooted ancestor of the concept of "Greater East Asia Co-Prosperity Sphere."

Prompted by such ambition for aggression, the Japanese aggressors fabricated the "'Unyo-Go' Incident," in pursuit of their purpose of subordinating Korea to Japan's rule " by force of arms ...before a possible revival of the anti-foreign, seclusionist forces" led by the Taewongun who was "deposed by the clique loyal to Queen Min." ("Japanese Diplomatic Documents," Vol. 8, pp. 71 - 72)

In 1875, a Japanese pirate warship "Unyo-Go" intruded, without any prior notice, up to the Chojijin fortress south of Kanghwa Island, the gateway to Seoul, making military provocations. The Korean artillerymen at the fortress immediately took their self-defensive measures. As if she were awaiting this, the "Unyo-Go" launched naval bombardment, destroying the fortress, and afterwards attacked Yongjongjin, killing over 600 peaceful inhabitants.

It was through the "Kanghwa Island Treaty" that Japan planned to open the gate for its overseas aggression by shuffling off the responsibility for the "Unyo-Go" incident on to the Korean side and by forcing Korea to conclude a "commercial treaty."

To this end, the Japanese government issued a gangster-like directive for the recourse to force of arms in case of Korea's non-compliance with this demand.(The Beginning and End of Negotiations with the Korean Government," Vol. 3; "The History of Japanese Militarist Aggression on Korea," p.52, 1975, the Publishing House of Social Science of the Democratic People's Republic of Korea")

Under this directive, the Japanese imperialists sent over 800 troops of aggression aboard six warships sailing up to Kanghwa Island with naval bombardment as a show of muscle-flexing and military threat, an action under which the "Kanghwa Island Treaty" was framed up, and this marked a watershed for their full-scale aggression on Korea.

The illegal aggression and occupation of Korea by the Japanese imperialists as well as their violation of Korea's State sovereignty became more undisguised during the Kabo Peasant War of 1894 and the Sino-Japanese War. When the Kabo Peasant War broke out, the Japanese aggressors began shipments of 450 marine troops to Inchon on June 9 and

brought as many as nearly 10,000 aggressive troops by the end of the same month, under the pretext of "protecting" the Japanese residents in Korea. It was right at this time when the notorious "General Headquarters" was organized as the supreme command establishment for Japanese imperialist war of aggression.

On the day when the Japanese cabinet decided on the "military expedition," Kawakami, a Deputy Chief of the Army General Staff, openly revealed his ambitions for aggression, saying that "the Chinese troops under the direct command of Li Hung-chang is estimated at 40,000 strong, and about 30,000 out of these troops may be dispatched to Korea. However, we have to send our troops, in response to such a possible Chinese military involvement, and launch a military engagement in the area of Pyongyang to defeat them. If this is successful, it would be not difficult for us to bring the whole of Korea under our sphere of influence." ("Army General Kawagami Soroku," p.126)

The cease-fire arrangement under the "Jonju Peace Accord" of June 11 between the Korean government and the Peasant Army left Japan completely bereft of any pretext for its "military expedition."

The Korean government urged both the Qing Empire of China and Japan to withdraw their respective troops from Korea immediately. The Japanese imperialists, however, pressed the Korean government for a "domestic political reform" and threatened the Korean government by dispatching as many as 5,000 troops who surrounded Seoul.

Japanese Foreign Minister Mutsu said that "from the outset, I did not consider Korea's domestic political reform to be worthy of any significance, except for political needs. ...To be quite candid," we planned to "capitalize on Korea's reform ...to expand our domain" and "to control Korea as our full-fledged protectorate ...and bring her in subordination to our power." His words clearly indicate that the "domestic political reform" in Korea was merely one of its excuses for aggression on Korea. (" Kenkenrok" pp.47 -48)

When the Korean government resisted the Japanese pressure by demanding the retraction of Japan-proposed "domestic political reform" in Korea and withdrawal of the Japanese forces of aggression, the Japanese imperialists mobilized one regiment-strong troops and crashed the wall gate of the Royal Palace with axes and explosives at the dawn of July 23. They killed security guards on duty and took the King and the Queen hostage in broad daylight. Then, they kidnapped the Taewongun and installed him in power, thus in fact overthrowing and reshuffling the Korean government.

The historic materials discovered last year in Japan proved the fact that this incident was premeditated scrupulously by the Japanese government and military establishment and that Japanese Minister Ottori to Korea played a leading role in this incident. ("Misuzu,"

June Issue of 1994; "Akahata," July 21, 1994)

It goes without saying that the "Korea-Japan Provisional Articles" of August 20 and the "Korea-Japan Treaty of Alliance" of August 26 were fabricated by the Japanese imperialists, with the Korean King detained as a hostage, in an attempt to camouflage the truth of this illegal incident and to create a pretence for the Sino-Japanese War. This was unquestionably a gross violation of the State sovereignty of Korea and an unprecedented challenge to the international law and justice.

This notwithstanding, the Japanese imperialists continued to escalate their aggression and violated Korea's State sovereignty more outrageously.

One of their typical examples was the "Murder Incident of Queen Min" in 1895. The Japanese imperialists broke into the Korean Royal Palace in broad daylight. Then they captured, and mangled the Queen, and then stripped her naked and physically insulted the Queen who was still at breath. They even burnt her corpse and threw her remains into a pond. This incident was not only the greatest violation of and infringement upon the State sovereignty of Korea but also an intolerable insult to the Korean people and to the civilization of mankind and the height of unparalleled criminality in history.

Japanese Minister Miura in Seoul, the kingpin in this plot, bluntly said that "at last, this has placed Korea under the Japanese control at last. Now, I feel at ease." This was an undeniable evidence that the incident was directly related with the Japanese government's policy of aggression on Korea.

Furthermore, the brazen impudence and artfulness, typical of Japs, were eloquently featured when the Japanese murderers came out from the Royal Palace with the blood-stained swords in their hands and marched along in high spirits before a big crowd of foreign residents and Seoul citizens, and tried to lay the blame for their own crime on the Taewongun whom they forcibly kidnapped and walked away to the site of the incident.

In view of such brutality as displayed in the murder of the Queen of a kingdom, it will not be difficult to figure out what violence and blackmail the Japanese imperialists committed later to the King and government ministers of Korea when they fabricated falsified "documents," including the "Ulsa Five-Point Treaty," aimed at "legalizing" their occupation of Korea. (Ulsa is the year of 1905 in the Korean calendar. --tr.)

As the contradictions between Japan and Czarist Russia had been growing sharp in their rivalry for exclusive supremacy over Korea since the end of the Sino-Japanese War, the Japanese imperialists intensely speeded up its war preparations and, at the same time, worked out a plot for the conclusion of a "secret treaty" with Korea to reduce the

"policy of neutrality in foreign affairs" of Korea to a nominal doctrine and to find out a justification of its occupation of Korea.

But, this scheme fell through when King Kojong firmly dismissed the idea of a "Korea-Japan Protocol," the conclusion of which the King described as "harmful to independence," upon submission of a detailed note favoring the conclusion of the "Protocol" by Li Ji Yong and Li Gun Taek, who had already been threatened and bought over by the
Japanese imperialists. ("Japanese Diplomatic Documents," Vol. 37, Part 1, pp. 336 -337)

The course of events, however, turned the other way around when the Russo-Japanese War was triggered off by the Japanese sneak attack on the Russian fleet in the wake of the illegal landing on Inchon by the Japanese imperialists on February 8, 1904.

More than 100,000-strong Japanese troops of aggression were deployed throughout the areas between Seoul and Amnok River, and the Korean territory turned out to be a theater of
the Russo-Japanese War and a land under military occupation by the Japanese imperialists. It was in such circumstances that the Japanese imperialists fabricated the "Korea-Japan Protocol" and the "Korea-Japan Agreement," which they used as an excuse for their later aggression and military occupation of Korea. Having done this, they switched over to the phase of establishing their direct domination over the internal affairs of Korea.

Referring to the illegality of these "documents," Emperor Kojong said in his telegram dated July 24, 1905, which he asked his private French language tutor Martel to transmit to the governments of Czarist Russia and France that he found himself in de facto impoundment, that his State affairs were completely under alien constraint and that and he was "neither involved in nor aware" of the conclusion of the "Korea-Japan treaty on interests and other international Treaties that was concluded after the outbreak of the Russo-Japanese War." ("Japanese Diplomatic Documents," Vol. 38, Part 1, p. 661)

The Russo-Japanese War enabled the Japanese imperialists to opened the way of their exclusive occupation of and domination over Korea, and eventually in 1905 they completely seized Korea by force of arms. It is since then that they have inflicted indescribable and indelibly deep wounds on the Korean people for as long as 41 years.

The passage of time will never efface the history of criminal aggression and occupation of Korea by the Japanese imperialists.

II. The Old "Treaties" Aimed at Camouflaging Aggression and Military occupation Are the Unlawful, Invalid and Falsified "Documents."

The criminality of the Japanese imperialist aggression and occupation of Korea has already been recognized internationally. Despite this, the present Japanese government claims that the old "treaties," including the "Treaty on Korea's Annexation to Japan," were concluded "legally" and enforced with "due validity," in its efforts to distort the history and embellish and justify its acts of aggression.

This being the situation, we are compelled to comment again on the illegality and invalidity of these "treaties" in the historical and legal perspectives.

In a nutshell, the old "treaties," including the "Ulsa Five-Point Treaty" and the "Jongmi Seven-Point Treaty," which Japan claims to have been concluded "legally," are nothing but scraps of paper, the "conclusion" of which was preceded by armed aggression and then procured through fraud and imposture, including personal threat and coercion, absence of ratification, seizure of seals and forgery of signature aimed at covering up its aggression. (Jongmi is the year of 1907 in the Korean calendar. -- tr.)

1) Threats and Coercion by Force of Arms Are Unlawful.

The Japanese government claims that Korea was "annexed" under the "Treaty on Korea's Annexation to Japan." But, the decisive factors in covering up and legalizing its aggression of Korea were "Ulsa Five-Point Treaty," under which Japan established its "Residency-General," a machinery for its occupation and rule in Korea, and forced Korea to accept, for the first time, the Japanese law on the "System of Residency-General and Residency," and the "Jongmi Seven-Point Treaty" which Japan used as a pretence for the deprivation of Korea's sovereign rights to its own internal affairs.

Imposition of the "Ulsa Five-Point Treaty"

In anticipation of a strong resistance on the part of the Korean people and Emperor Kojong to the fabrication of the "Ulsa Five-Point Treaty," the Japanese imperialists set early November of 1905 as the target date for the "conclusion of the treaty" and planned to bring their troops of aggression into Seoul to intimidate the Emperor and his government into approving the "treaty," and, in case of failure to obtain such approval, to unilaterally declare the "establishment of protectorate" as the last resort.

("Historic Materials on Korea's Annexation 1," pp. 6 - 10, 1986; "Hara Takashi's Diary," Vol. 2, p.155)

On November 16 of the same year, Japanese Minister to Korea Hayashi Gonsuke explained to Hirobumi Ito that the Korean government ministers would be brought into the Japanese Legation for a conference. In case of need for a meeting presided over by the Korean Emperor, failing any decision or agreement at the conference, some of the Korean government ministers would possibly run away on the way to the Imperial Palace, and, therefore, we must ask Hasegawa for arrangements so that military policemen could watch the movement of the ministers under the plea of "security service." He further said that he was concerned that one or two Korean government ministers would possibly commit suicide, when the "treaty" were to be concluded." ("My 70 Years Say," Hayashi Gonsuke, pp.223 - 224)

This fact alone clearly shows the severity of the physical and mental constraint and threat which the Japanese imperialists tried to inflict upon the Korean Emperor and his government ministers.

Under this plan, the Japanese imperialists massed up the Japanese military forces stationed in Korea into Seoul. On the morning of November 17, all the Japanese troops stationed across the area of the "Five Rivers (Hangang, Dongjakjin, Mapo, Sogang and Yanghwajin) clustered in Seoul.

Describing the situation, the "Chronicle of the Empire of Korea" says that 700 - 800 cavalrymen, 4,000 - 5,000 artillerymen and 20,000 - 30,000 foot soldiers ran in all directions. The Koreans could not freely walk around even an inch. The Imperial Palace was closely beset by several files of Japanese troops to the horror of the high- and low-ranking Korean officials entering and leaving the Palace." ("Materials on the Ulsa Five-Point Treaty 2," Kumbyongdong, Koreanology No.41, p.35)

On November 17 and 18, the Japanese imperialists deployed their troops around Waesongdae at Namsan Hill in Seoul and staged a military maneuver of one battalion of foot soldiers, one battery of artillerymen and one regiment of cavalrymen around Chongno area in front of the Imperial Palace to overawe the Koreans. ("Tokyo Nichinichi Shimbun," November 25, 1905)

On the evening of the 17th, Hirobumi Ito broke into to the Imperial Palace, accompanied, just in case of any need for prompt command, by Hasegawa, Commander of the Japanese troops in Korea, Sato, Commandant of the Japanese military police, and infantrymen, cavalry soldiers, military policemen and policemen who surrounded outside and inside the Palace to threaten and menace the Imperial Household.

This was an action motivated by their concern that, in the event of any delay in their plan, the ministers of the Korean government could resign en masse with Japan losing its counterpart in its negotiations, and by their own assumption that any delay would not be the best bet, as long as there prevailed the concept within Korean government that, through a resolute refusal of any negotiations, Korea should block the materialization of the "treaty" and appeal to the world public opinion for support.("Japanese Diplomatic Documents," Vol. 38, Part 1, p.497)

The direct threat and coercion inflicted by the Japanese imperialists upon Emperor Kojong and ministers of the Korean government for the purpose of the fabrication of the "Ulsa Five-Point Treaty" constituted the height of illegality, the precedent for which could never be found in the world history.

During an audience granted by Emperor Kojong on November 15, Ito demanded that the Emperor transfer Korea's sovereign rights over its diplomatic affairs to the Japanese government, and then threatened the Emperor, saying that "this proposal ... is an irrevocable and firm decision of the Imperial government of Japan. Therefore, In case of Your Majesty's refusal, ... you may have to be ready for more unfavorable consequences. Your Majesty's statement about the need to sound your grassroots subjects on this matter seems intended to inspire your subjects to resist Japan's proposal." If that happens, "Your Majesty will be held responsible for that." ("Historic Materials on Korea's Annexation 1," p.25)

On the 17th instant, contrary to his mission of the so-called "consolatory visit to the Korean Imperial Palace," Ito directly "presided" all along over the council of the Korean government ministers in the Emperor's presence and took a high-handed action of deciding on the matter by vote at his own will. When Prime Minister Han Kyu Sol declared himself against the decision, Ito threatened and blackmailed the Korean government ministers, saying that "I am carrying out this mission under the edict from His Majesty Emperor of Japan. I will not remain idle if you deride me." ("Historic Materials on Korea's Annexation 1," pp. 41 - 48)

Nishiyotsuji Kogyo, Ito's assistant, wrote about the then situation as follows:

"...On the 17th instant, ... Korean government ministers were invited for the first time to the Japanese Legation for consultation. As no decision was forthcoming despite a heated debate, with the participation of the Japanese Minister and his staff a council was called in the presence of the Korean Emperor. ... Marquis Ito and Commander Hasegawa, who were staying in Daegwan Pavilion on tiptoe of expectation for good news, could not wait any longer, ... and they broke into the council hall, accompanied by ... many military policemen and other officials. Marquis Ito shoved aside Minister Hayashi, Japan's plenipotentiary, and, with a pencil in his mouth, he began an intelligence test to each of the Korean government

ministers.

Marquis Ito said 'no matter how long you may contemplate, we cannot see the end. Now, I will ask you, one by one , and let your yea be yea and your nay be nay. First, Prime Minister. ...' Then, Prime Minister Han Kyu Sol ... said nay. 'I see.' said Marquis Ito who then marked x above the name of Han Kyu Sol. He then called 'Foreign Minister Pak Je Sun.' and said: 'Well, you are not against, and I will mark 0 to put you in the yes vote category.'

... Prime Minister Han began wailing and was taken to another room. Then, looking around other ministers, Marquis Ito murmured in a loud voice, saying 'If he keeps importunate, just do away with him.' But, even when the treaty was about to be signed, Prime Minister Han did not show up. When someone inquired about his absence, Marquis Ito
muttered calmly 'he must have been done away with.'

Two or three Korean ministers, who knew the Japanese, immediately passed his words in Korean on to their colleagues, and eventually the conclusion of the treaty was done without any difficulty." ("The Hidden Story of Diplomacy in the Last Days of the Empire of Korea," Nishiyotsuji Kogyo)

McKenzie, who was in Korea in 1904 and 1907 as a correspondent of the London-based "The Daily Mail," also disclosed the fact that the Japanese imperialists' threats, intimidation and saber-rattling reminded the Korean government ministers of "what happened on one night of 1895 when the Japanese troops ... murdered Queen Min," and Prime Minister Han Kyu Sol was "threatened with death in the next room" by a secretary of the Japanese Legation, and even Ito called on him and forced him to agree to the treaty. ("From the Volunteer Army to the March First Independence Movement," Japanese translation of the "Korea's Fight For Freedom" McKenzie, 1972, pp. 78 - 83)

Von Saldern, a German diplomat in Seoul at the time of the fabrication of the "Ulsa Five-Point Treaty," said in his political report of November 20, 1905 addressed to his home government that the "the conclusion of a document to be proclaimed by Japan was procured absolutely through coercion."

This is the truth behind the so-called "conclusion" of the "treaty" which Japan claims to have been "concluded on an equal footing and of their own free will."

Imposition of the "Jongmi Seven-Point Treaty" and Dethronement of Emperor Ko jong

The fabrication of the "Jongmi Seven-Point Treaty" is closely related to the dethronement of Emperor Kojong by the Japanese imperialists through force of arms.

Following the outbreak of "The Hague emissary incident," the Japanese imperialists called a cabinet meeting over the Korean Emperor Kojong's dispatch of his emissaries to The Hague, and decided on the so-called "Korea Policy," designed to "take advantage of the present situation so as to establish full control over the State affairs of Korea," and entrusted Resident-General Ito with the task to implement the policy. ("Japanese Diplomatic Documents," Vol. 40, Part I, p. 455)

Through their military occupation of Korea and the establishment of the "Residency-General", the Japanese imperialists had virtually deprived Korea of its sovereign rights over its own home affairs. However, their re-definition of the concept of depriving Korea of its sovereignty on home affairs, a concept that was already the fait accompli in their plan of aggression, was intended to "legalize" the illegality of their own actions and to create a precondition for their occupation of Korea.

One of the two essential points in their "Korea Policy" was to reduce the power of the Korean Emperor and to tighten "control" over him, and another was to enthrone disabled Sunjong in place of Emperor Kojong so as to take a firm grip of Korea.

Under this "policy," Ito called on Emperor Kojong on July 3, 1907 and showed the Emperor a telegram concerning "The Hague emissary incident" and threatened and intimidated him, shouting "your attempt to reject the Japanese protectorate by this dangerous means is nothing but an open declaration of war against Japan. ...I declare that Your Majesty alone will be held totally responsible for the consequences therefrom." ("History of Japanese Militarist Aggression on Korea," the Publishing House of Social Science, Democratic People's Republic of Korea, 1975, p. 406)

For the purpose of dethroning Emperor Kojong, the Japanese imperialists sent even their Foreign Minister to Korea to command this operation and employed Ito and other pro-Japanese stooges in threatening the life of Emperor Kojong and pressing him to "apologize" to the Japanese "Emperor" and to 'abdicate his Imperial Throne."

The concerns on the part of the Korean emissaries, who went to The Hague, were not groundless in view of Japan's encroachment on Korea's sovereignty and despicable atrocities, especially when they said in an official statement that the "Emperor is not in the

position to make an official and free clarification of the truth because the Japanese keep the Emperor under confinement with his personal safety at stake." ("Courrier de la Conference de la Paix," a journal published in The Hague of the Netherlands, July 7, 1907)

In this situation, Emperor Kojong was forced on July 19 to agree that Sunjong act the Emperor's proxy, but refused to "abdicate" to the end. However, in pursuit of their purpose of establishing as "abdication" the imperial rescript on Emperor's proxy, a measure "difficult to be recognized as abdication," the Japanese imperialists staged a farcical "abdication ceremony," on the 20th instant, even in violation of their own knowledge about the "procedural practice" of the Korean Imperial Throne, according to which, "during the lifetime of a reigning Emperor, no official coronation ceremony for his replacement will be held, ...and the heir apparent shall administer the State affairs in his capacity of the Emperor's proxy."

In an effort to stamp out a possible people's resistance against the "ceremony," an infantry regiment of the Japanese troops occupied the Imperial Palace on the 19th instant and a battery of artillerymen was positioned at the foot of Namsan Hill, ready to fire at the people any time, with a de facto martial law in place.

Absent from the "ceremony" were, of course, both Emperor Kojong and Sunjong along with the Minister for Imperial Court Affairs who was obliged to attend any Imperial ceremony under the rules and legal tradition, save for the puppet Li Wan Yong who self-appointed himself as the acting Minister for Imperial Court Affairs. Although the Japanese imperialists and the pro-Japanese puppets like Li Wan Yong staged such a farce, the imperial throne was never formally abdicated in favour of Sunjong.

Kwangmou, the year name for Emperor Kojong's reign, was changed on August 2 to be Ryunghwi, the year name for Sunjong's reign, but Sunjong ascended the Imperial Throne later on August 27.

On August 27, 1907 the barbarous Japanese imperialists held the "coronation ceremony" of Emperor Sunjong and at the same time they forcibly confined the dethroned Kojong in the Kyong-Oun Palace.

The "Jongmi Seven-Point Treaty" was fabricated in a gangster-like manner on July 24 through the dethronement of Emperor Kojong, the sovereign with the imperial power of approving the conclusion of treaties, and without any consent from the "new Emperor" Sunjong.

This is a rough outline of how the treaties such as the "Ulsa Five-Point Treaty" and the "Jongmi Seven-Point Treaty" were fabricated at the point of the bayonet and under threat and duress.

Illegality of the Japanese Imperialists' Threats and Coercion

This notwithstanding, the Japanese government repeated the preposterous statements that the old "treaties," including the "Treaty on Korea's Annexation to Japan," were "concluded based on an equal footing and on the basis of the free will of both sides." (Remarks by Prime Minister Sato at a House of Councilors' Meeting on November 19, 1965, and by Hasegawa, Director-General of the Asia Bureau of the Japanese Foreign Ministry at a Meeting of the Foreign Affairs Committee of the House of Councilors on March 28, 1989)

It is quite beyond dispute that nothing can justify coercion or intimidation by force of arms as legal action.

Freedom of consent or agreement is, in the true sense of the word, a key factor in determining the validity of a treaty, and the principle of equality is a prerequisite for the conclusion of treaties. Parties to treaties should be entitled to the freedom of choice and such choice must not be dictated by threats or intimidation.

The absolute nullity of the "Ulsa Five-Point Treaty" imposed by the Japanese imperialists upon the Korean Emperor and his ministers through the personal coercion of the representative of a State was objectively verified from the outset of its fabrication.

Francis Rey, a prominent French international jurist, wrote in his treatise of 1906 that the "Ulsa Five-Point Treaty" was illegal and null and void from the outset in the light of the fact that Hirobumi Ito and Hayashi Gonsuke mobilized Japanese troops to procure by force of arms the signatures of the Korean Emperor and his ministers. ("Revue Generale de Droit International Public," Vol.13, 1906)

The American Society of International Law also said in the Harvard Research Draft on the law of treaties of 1935, with quotations from Francis Rey's treatise, that the "Ulsa Five-Point Treaty" was unlawful and void since its inception. ("American Journal of International Law," 1935)

In his report to the 15th Session of the United Nations International Law Commission that opened in 1963 to consider the Draft Vienna Convention on the Law of Treaties, the Special Rapporteur referred to the "Ulsa Five-Point Treaty" of 1905 as one of the instances of the "acts of coercion or threats applied to individuals with respect to their own

persons or in their personal capacity in order to procure the signature, ratification, acceptance or approval of a treaty," and concluded that the use of such coercion for the purpose of procuring the conclusion of a treaty should provide for the "absolute nullity" of a consent to a treaty so obtained. (Yearbook of the International Law Commission, 1963, p. 197)

Kurachi Tetsukichi, Director for Political Affairs Bureau of the Japanese Foreign Ministry at the time of the fabrication of the "Treaty on Korea's Annexation to Japan," also expressed his view that "if coercion, violence and threat were applied to the person engaged in the conclusion of a treaty, his expressed will can never be regarded as genuine, ...so in this case the treaty is by no means valid." (The 4th Correspondence Course of Law School in Japan, "International Public Law," 1899, p. 197)

These facts are eloquent enough to prove indisputably that the so-called "Ulsa Five-Point Treaty" was never concluded legally from the outset.

However, referring to the above-quoted statement at the UN International Law Commission in 1963, the Director-General of the Legal and Treaty Bureau of the Japanese Foreign Ministry made a far-fetched sophistry at a Japanese Diet session on March 23, 1993 that he did not perceive that the international community was unanimous in considering the 1905 Treaty as null and void, and that the paragraph in question was deleted in the final report of this Commission in 1966. ("Was the 'Korean Protectorate Treaty' of 1905 Concluded?" Edited by the Association for International Human Rights Studies, 1993, p. 69)

How can we say that this statement carries a sense of their attitude of "remorse" for their past?

The Session of the UN International Law Commission in 1963 never heard any negative opinion at all about the paragraph in the report referring to the "Ulsa Five-Point Treaty," and the report was submitted to the session of the UN General Assembly in the same year.

Their claims about an alleged denial and subsequent deletion from the 1966 final report of the instance of the use of coercion aimed at procuring the "Ulsa Five-Point Treaty" cannot be construed otherwise than a trickery to talk black into white and conceal the illegality of their actions.

In the final analysis, the inconsistency of such preposterous allegations has only brought home to the whole world Japan's reluctance to acknowledge its past of aggression and its wicked intention to beautify and embellish its past crimes of aggression.

2) Scraps of Paper That Failed to Follow Legal Procedures

Absence of Credentials and Their Forgery

The Japanese imperialists used the "Ulsa Five-Point Treaty" and the "Jongmi Seven-Point Treaty" for the "legalization" of their military occupation of Korea. But, these "treaties" were "concluded" without any legally required letters of full powers to be carried by the "signatories."

The Director-General of the Legal and Treaty Bureau of the Japanese Foreign Ministry said at a Diet session on March 23, 1993 that "I know that," at the time of the fabrication of the "Ulsa Five-Point Treaty," "the Japanese cabinet meeting passed a decision to invest Minister Hayashi with full powers to sign the treaty, but the letter of full powers itself has not been discovered ... up to now." He further claimed that the Prime Minister or Foreign Minister, and Ambassador or Minister represent his State in their own respective capacity and therefore they do not necessarily carry the letter of full powers. ("Was the 'Korean Protectorate Treaty' of 1905 Concluded?" Edited by the Association for International Human Rights Studies, 1993, p.75)

A letter of full powers is the written instrument whereby the person (or a government agency) with the sovereign power on the conclusion of treaties delegates power to his/her (or its) envoy who is chosen as the signatory of a treaty. Needless to say, therefore, any person's failure to carry a letter of credence will disqualify him or her from concluding a treaty.

Until the emergence of the "Vienna Convention on the Law of Treaties," it was universally understood that, in case persons, other than the Sovereign or the Head of State, were delegated to negotiate a treaty, they ought to have exchanged their respective letters of full powers either right before or after the negotiations, for the purpose of verifying the authenticity of their right qualification. Even the "Dictionary of the Japanese Diplomatic History" published in 1986 by the Diplomatic Archives of the Japanese Foreign Ministry writes that, "in the past" before the evolution of the "Vienna Convention on the Law of Treaties," they "presented the letters of full powers to each other for their exchange almost without exception."

Article 18 in the "Ordinance on Formality of Official Documentation" of the Kingdom of Korea, which was proclaimed and enacted in 1894, stipulates that "The King shall in person affix his signature to the Sovereign's documents, the instruments of treaty ratification, and the letters of credence for an official to be dispatched abroad on a Royal mission...,before the Privy Seal will be stamped thereto to attest the King's signature."

("True Records of Kojong's Reign," Vol. 32, November 21 of the Year of Kabo, the 31st Year of Kojong's Reign)

In this sense, the letter of credence was essential for the conclusion of treaties. Therefore, the Japanese side's argument about the eligibility of the Head of Government, Minister of Foreign Affairs, Ambassador or Minister as his or her State representative without the letter of full powers is nothing more than an excuse for justifying the fabrication of the "Ulsa Five-Point Treaty" by abusing the legal principles established in the wake of the emergence of the "Vienna Convention on the Law of Treaties.

Historical facts show that the Japanese imperialists were aware of this point of legal requirement, but they were unable to prepare the letter of credence after all.

This was corroborated by the fact that the credential letter, now preserved in Kyujanggak Archives of Seoul University, remains to be a "certified copy of the credential letter" due to the non-affixture thereto of signature of either Emperor Kojong or Crown Prince Sunjong, a factor that led to the failure of the Japanese imperialists to forge the legally valid credential letter for the "Jongmi Seven-Point Treaty."

An official of the Diplomatic Archives of Japan admitted that, in view of the administrative requirement for the archival classification of the Japanese government's diplomatic documents, that the original of a treaty should be filed in a single envelope together with the instrument of ratification and other documents related to the treaty, and, therefore, it was obvious that any missing document from a certain classified envelope could not be found out elsewhere.

The allegation by the Japanese government about its failure to discover the letter of credence meant for Hayashi only serves to confirm the de facto non-existence of the letter.

On all accounts, it can be concluded that Hayashi and Pak Je Sun "exchanged" their private "documents" in the capacity of individual persons, as their respective States had never empowered them to conclude the treaty.

Absence of Ratification

Ratification is a conclusive expression of a State's consent to be bound by a treaty.

But, both the "Ulsa Five-Point Treaty" and the "Jongmi Seven-Point Treaty" had never been ratified by Emperor Kojong, the sovereign of Korea, and the "Treaty on Korea's

Annexation to Japan" was not signed by Sunjong, either.

Under the tradition of international law that prevailed at that time, the ratification regime was intended to determine whether treaty signatories performed their conduct properly within their terms of reference, to review the whole contents of a treaty in terms of constitution and to finally confirm consent to be bound by the treaty.

Therefore, it was required under the prevailing international laws at that time that the sovereign's ratification was essential for the treaties to go into force.

Moreover, such ratification was also legally required under the domestic laws which were in force at that time in Korea, an empire under absolute monarchy, and Japan, an empire under the rule of the "heaven-born emperor."

Article 9 of the "Law on Domestic Administration of the Empire of Korea," enacted in 1899, stipulates that the reigning Emperor is entitled to "conclude all treaties," and Article 18 of the "Ordinance on Formality of Official Documentation," enforced in 1894, stipulates that the King "shall in person affix his signature to the instrument of ratification of treaties, before the Great Seal shall be stamped thereon." ("True Records of Kojong's Reign," Vol. 39, August 17, 3rd Year of Kwangmou, and Vol. 32, November 21 of the year of Kabo, 31st Year of Kojong's Reign)

The "Constitution of the Great Empire of Japan" stipulated in Article 4 that the "Emperor" shall "exercise the supreme imperial power of governing the whole State as its sovereign," and in Article 13 that the "Emperor shall "conclude all treaties."

Despite this, commenting on the absence of ratification of the "Ulsa Five-Point Treaty" and the "Jongmi Seven-Point Treaty" at a Diet session on March 23, 1993, the Director-General of the Legal and Treaty Bureau of the Japanese Foreign Ministry argued that he "cannot accept the Korean side's contention about the nullity of these treaties in terms of international law, in reference to the domestic reasons of the Korean government" that existed at the time of the conclusion of the treaties.

As for the domestic law, it was the then prevailing views under customary laws that a treaty, if concluded in clear violation of the provisions of essential importance in domestic law, was to be nullified.

It is indeed preposterous and nonsensical to argue that the sovereign's ratification is not necessarily required for the conclusion of the "treaty" which divests a country of its sovereign rights on diplomatic and home affairs, a treaty which is quite different from other ordinary treaty on friendship or commerce.

A review of the major treaties concluded by the Empire of Korea with foreign countries shows that almost all the treaties were ratified through due procedures, except those with Japan.

The same is the case of Japan, a majority of whose treaties were ratified by the Japanese sovereign, which include the Sino-Japanese Shimonoseki Peace Treaty and other important treaties on commerce, peace, sea passage and arbitration that Japan signed with foreign countries during the period from 1860 to 1908.

Furthermore, almost all the so-called "protectorate treaties" which the European colonialists "concluded" with the Asian and African countries had been ratified, though for the sake of legal formalities.

It was only the Japanese aggressors who claim that ratification was not needed. They claim so, not because of their nescience of the necessity of ratification, but because of their inability of obtaining ratification. The Japanese imperialists, too, were aware of the indispensability of the Korean Emperor's approval and signature and affixture of the Privy Seal to the conclusion of treaties.

At his meeting with Ito on November 15, 1905, Emperor Kojong said that "I cannot make any arbitrary decision," and Ito replied that "Your Majesty have the supreme power to govern all the State affairs," thus emphasizing on the Korean sovereign's imperium. ("Diplomatic Gazette," Vol. 9, No. 98, 1906, p.31)

Their knowledge of indispensability of the imperial ratification was evidenced by another episode that occurred on July 17, 1907 after "The Hague emissary incident" when Li Wan Yong and other pro-Japanese imperialist stooges thronged into the Imperial Palace and pressed Emperor Kojong "to put his Imperial Seal on the new Treaty of November 17, 1905." ("Hwangsong Sinmun," July 19, 1907)

However, Emperor Kojong maintained his refusal to approve or ratify the "treaty."

As seen in the above, the criminality of the Japanese imperialists' actions also lies in the fact that the "treaty" were unilaterally proclaimed to have been legally "concluded," despite their failure to obtain the approval or signature of Emperor Kojong and the affixture of the Imperial Seal.

3) The Robbed Seal and Forged Imperial Edict

Japanese imperialists' acts of faking up "treaties" were also clearly revealed in their robbery of the Korean Foreign Minister's Seal and the Great Seal of the Korean Emperor and in their fabrication of the "imperial edicts" through the forgery of the Emperor's signature.

Robbery of the Foreign Minister's Seal and Emperor's Great Seal

In pursuing their purpose of faking up the "Ulsa Five-Point Treaty," the Japanese imperialists had long premeditated an operational plan to seize the Seal of the Korean Foreign Minister.

On November 16, 1905, Japanese Minister Hayashi told Ito that "the Seal of the State ...seems to be kept in a safety-locked place, but even the Minister for Imperial Court Affairs is not allowed to keep it with himself. There is an official specially designated for safe-keeping the official seal. Therefore, I have to detail a man early in the morning to stay at the Foreign Office and watch for the safe-keeper of the seal." ("My 70 years Say," Hayashi Gonsuke, p. 223 - 230)

The "Chronicle of the Empire of Korea" points out that "Maema Kyosaku, interpreter of the Legation, and Numano, probationary diplomat, were sent to the Korean Foreign Office to ask for the seal to be impressed on an imperial edict. ... Many Japanese soldiers surrounded the Foreign Office to prevent the seal from being taken away. Kokubu Shotaro, a secretary of the Japanese Legation, who had already been posted in front of the Su-Ok-Hon (Emperor's Residence), took over the seal which he carried into the conference hall inside the Imperial Palace and affixed the seal to the treaty at last." ("The Treatise on the 1905 Protectorate Treaty," Collection of Materials of the Fact-Finding Group on the Truth of the Forced Korean Draftees, Vol. 9, p. 8)

The "China Gazette" (evening newspaper) of November 23, 1905 reported in its dispatch from Seoul that the Japanese imperialists "dispatched the Japanese military police to the official residence of the Korean Foreign Minister, ...and Japanese probationary diplomat Numano returned to his chancery at 1 o'clock a.m. on the 18th with the seized official seal, and, after some wrangling, the Japanese envoy plenipotentiary and others affixed the seized seal to the 'accord' at will and declared on the morning of the same day that the treaty was 'concluded.' It is indeed imposture and fraud that have brought about the 'seal affixture.'"("Japanese Diplomatic Documents," Vol. 38, Part 1)

German diplomat von Saldern in Seoul, too, said in his political report of November

20, 1905 to the German Chancellor that the "Imperial Court was crowded with Japanese troops and military policemen, and the Japanese forced some Korean ministers to affix their signature seals."

The Korean emissaries at The Hague also accused Hirobumi Ito that he had "personally put the seal of the Foreign Office to the treaty." ("Courrier de la Conference de la Paix," July 9, 1907)

These facts afford a fresh evidence that the Japanese aggressors seized the seal of the Foreign Minister and affixed it to the treaty by their hands.

This was not all the brigandish acts committed by the Japanese imperialists. They even went so far as to commit illegal acts of seizing the Great Seal used by Emperor Kojong.

In his personal letter of December 1914, transmitted to the German Kaiser through Hintze, German Minister to Peking, Emperor Kojong said that the Japanese imperialists dethroned him and "seized his Imperial Seal," and that he had to put his personal seal on this personal letter to prove its authenticity, because the "Great Seal" was in the "hands of the enemy."

As a matter of fact, the Great Seal of the Empire of Korea was to be in the custody of the Privy Council's Office which safe-keeps it.

The Emperor's reference to the seizure of the Great Seal can be related to the fact that, at daybreak on July 22, 1907, the Japanese imperialists arrested the Minister for Imperial Court Affairs and the custodian of the Great Seal on charges of attempts to help rescind the "decision on abdication."

The "Amendment of the Mining Industry Law" cooked up by the Japanese imperialists on August 6,1907 was a forged document, as the Imperial Seal was affixed to a blank sheet of paper before the text was written. This substantiates the fact that the Japanese imperialists had already seized the Seal of the State.

It is indeed axiomatic that the arrest by the Japanese imperialists of the custodian of the Seal of the State on July 22 is directly related to their dispossession of the Seal of the State, in view of their seizure of the seal of the Foreign Minister for the fabrication of the "Ulsa Five-Point Treaty," the dethronement of the Emperor, and the declaration of the "protocol" on the disbandment of the Korean Army, all of which preceded the arrest of the anti-"abdication" forces and of the custodian of the Seal of the State and the incident of their forgery of the "imperial edicts."

The Forgery of the Emperor's "Signature"

Having felt keenly the need to seize the authority of approving official documents of the government of Korea after "The Hague emissary incident," the Japanese imperialists began on November 11, 1907 to Japanize the wordings and approval formalities of Korea's legal documents, including protocols, laws and imperial edicts, so as to get a free hand in fabricating any "laws" at will.

Until then, the government of Korea observed its own rules of wordings and approval formalities, under which the serial number of issuance, title and the draft text of a "law" or "imperial edict" would have to be finalized and then the date would be entered before the affixture of the Emperor's signature seal and the Imperial Seal. The affixture of the Emperor's signature seal was a practice, under which the Emperor's autographed signature would be enrolled in the registry and then be engraved on a seal which a specially designated official could use under the Emperor's permission.

The Japanese procedure was quite different from that of Korea, in that they would enter the date, have the characters of the Emperor's name written and then affix the imperial seal before the inclusion of the text of the law or imperial edict and the serial number of its issuance.

This was illustrated by the fact that, at the time of the fabrication of the "Kanghwa Island Treaty," the Japanese imperialists forced the Korean government to enter the characters of the Korean King into the "treaty." Under this procedural system, the Japanese imperialists forged up as many as 60 important "laws" and "imperial edicts" within two months alone from November 18, 1907 to January 18, 1908. In just one month of December, 1907, they framed up nearly 50 "imperial edicts," including the "Amendment of the Law on the Home Affairs Administration," the "Amendment of the Judicial Administration Law" and the "Prison Regulations," through the forgery of the Emperor's signature. ("True Records of Sunjong's Reign," Vol. 1, December 4 - 30, the first year of Ryunghwi)

The organized and systematic encroachment on Korea's sovereignty by the Japanese imperialists was clearly evidenced by the fact that an important role in such forgery was played by the "Division of Archives of the Office of the Resident General" which had come into existence through its revamp after "Jongmi Seven-Point Treaty" of 1907.

Since the aggressors seized and abused the Seal of the State or an official seal for the ratification of key official instruments and forged the signature of the Emperor,

the law-enacting sovereign, these "legal instruments" was nullified ipso facto, and therefore these actions are crimes on which history must pass its judgment.

4) The Declaration of Invalidity by the Emperor

The declaration by Emperor Kojong, the sovereign of Korea with full powers to conclude a treaty, of the illegality of the Japanese imperialists' actions and of the invalidity of the "treaties" serves as an important basis for evidencing the invalidity of the "treaties" at the time of their "conclusion."

Emperor Kojong all along maintained his unflinching opposition to the "conclusion" of the "Ulsa Five-Point Treaty."

On November 26, 1905, immediate after the fabrication of the "Ulsa Five-Point Treaty" by the Japanese imperialists, the Emperor wrote in his telegram to Hullbert whom he sent to Washington, D.C. that "I declare this 'treaty' null and void since I was forced to approve its 'conclusion' under duress supported by force of arms and under confinement. I have never approved it and I have no intention of approving it in future. I ask you to convey my intention as above to the U.S. government." ("From the Volunteer Army to the March first Independence Movement," Japanese translation of the "Korea's Fight for Freedom," McKenzie, 1972, p. 87)

In his personal letters of January 29, 1906 addressed to the Heads of State of the United States, Czarist Russia, Germany and France, Emperor Kojong declared that he had never recognized the "treaty" from the outset; that he did not put the Seal of the State to it; that he opposed Japan's unilateral promulgation of the "treaty;" that there was none of any transference of the imperial power of his sovereign State to any foreign country; that the forcibly "concluded treaty" on sovereign rights on diplomatic affairs was devoid of legal foundation, and he had never permitted anything that would be related to the sovereign rights on home affairs; and that he had never approved either the presence in Korea of the "Resident-General" or any foreigner exercising any of his imperial power. ("Korea Daily News," January 16, 1907)

And again in his personal letters of June 22, 1906 addressed to 9 Heads of State including those of the United States, Great Britain, Czarist Russia and Germany, Emperor Kojong referred to the illegality of the "Ulsa Five-Point Treaty," emphasizing that, "(1) the signatures of certain members of our cabinet were obtained by intimidation and under duress"; "(2)" he had "never authorized the Cabinet to sign document"; "(3) the meeting of the Cabinet at which it was signed was illegal, having been convened ... by the Japanese themselves"; and that he intended "bringing the matter before the Hague

Tribunal."

The illegality and nullity of the "Ulsa Five-Point Treaty" can be easily distinguished by the fact that the Emperor's letters carried the Imperial Seal whereas the Imperial Seal was not affixed to the original of the so-called "treaty."

Countless are the legal defects related to the "treaty," including the legal description of the "treaty" as what they called a "faceless treaty" as well as the illegal acts committed by Ito, who was in Seoul on the mission of the so-called "consolatory visit to the Korean Imperial Palace" and "presided" over a meeting of the foreign government ministers and red-penciled the draft of the "treaty" at his will.

During the military occupation by the Japanese imperialists, Korea was completely deprived of its powers over diplomatic and home affairs, so that it could not exercise any sovereignty at all.

Divesture of State sovereignty means the loss of that State's capability of concluding a treaty, and therefrom it follows that the "Treaty on Korea's Annexation to Japan," claimed to be valid by the Japanese government, could not have been concluded even legally, due to the de jure absence of a sovereign State as another contracting party to a treaty, as required in terms of international law.

As seen in the above, the Japanese occupation and rule over Korea, which Japan now claims to have been enforced with "validity" under a "treaty," are absolutely illegal and devoid of any legality.

The illegal aggression and occupation of Korea by the japanese imperialists, together with the barbarity of their policy of extirpating the Korean nation, have precipitated the massive anti-Japanese struggle by the Korean people including the armed struggle by the Korean Volunteer Army and the March First Independence Movement.

It was through the nearly two-decade-long anti-Japanese revolutionary struggle organized and led by the Great Leader Comrade KIM IL SUNG that the Korean people routed the Japanese imperialist aggressors and eventually achieved a brilliant victory in the just war for restoring the country's sovereignty and national independence.

In the long run, the Japanese imperialists' occupation of Korea was an act of aggression and occupation by force of arms as well as an act of divesture of State sovereignty, and the defeat of the Japanese imperialists is a matter-of-course consequent from its criminal acts of aggression on Korea and other Asian countries.

The past Korea-Japan relations have never recorded any legally valid acts at all, and, if any, there have been only the gangster-like aggression and occupation, the fraud and imposture aimed at camouflaging them, and the culmination of fabrication.

III. Recognition and Settlement of the Past Are Japan's Historical Responsibility.

Because of the aggression on Korea by the Japanese imperialists and under their 41-year-long military occupation and their policy of enslaving and extirpating the Korean nations, our people suffered really enormous human, material and spiritual losses, including the death of one million Koreans, over six million Korean draftees and nearly 200,000 Korean women as sex slaves, and their aftereffects still remain to be cleared.

Japan's aggression and occupation of Korea signified the first step towards its later aggression on the rest of Asia and the world.

Despite the elapse of five decades since the end of World War II, during which there have come a number of international laws branding aggression as an illegal action, Japan still remains unchanged in its outlook on history and its sense of political and moral values, a fact which is eloquently proved by preposterous statements made by responsible politicians in Japan.

During the "south Korea-Japan talks" in 1953, Japanese chief delegate Kubota said that "Japan's rule over Korea has, in a certain aspect, benefitted the Koreans," and that a phrase in the Cairo Declaration referring to the "enslavement of the Korean people" is "an expression of the war-time hysteria." ("The Archetype of Preposterous Remarks," Takasaki Soji, pp.224 - 233)

At the "south Korea-Japan talks" in June of 1958, Japanese chief delegate Sawada Renzo openly revealed Japan's ambition for re-invasion, when he said that the "Sino-Japanese War and the Russo-Japanese War were both intended to repulse foreign forces beyond the Amnok (Yalu) River because they all advanced into the Korean peninsula, only to threaten Japan. ...Our failure to rise up for the third time and to push the 38th Parallel all the way beyond the Amnok River will simply put us out of countenance before our ancestors and predecessors. This is the task of Japan's diplomacy. ("The Essence of 'South Korea-Japan Talks,'" Japanese Edition, 1963)

Shiina Etsusaburo, who served as the Japanese Foreign Minister in the Sato Cabinet, wrote in his book of 1963 entitled "The Fairy Tale and Politics" that "it would have been a glorious imperialism if Japanese imperialism had administered Formosa, 'annexed' Korea to Japan and attached its dream about a five-nation concord to Manchuria for the

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purpose of defending Asia against the teeth of West European imperialism and preserving Japan's independence." ("The Archetype of Preposterous Remarks," Takasaki Soji, p.258)

During the "south Korea-Japan talks" in January of 1965, Japanese chief delegate Takasugi Shinichi said. "It is said that Japan has to apologize for its past rule over Korea. But, that is really beyond what Japan can do. Obviously, Japan had governed Korea. But, Japan intended to do something good. Japan's efforts, after all, failed because of the war. It could have been better if Japan's rule over Korea had continued for about 20 years longer. ...With respect to the Japanization of the Korean names, it was a measure aimed at assimilating the Koreans with the Japanese so as to treat the Koreans on an equal footing with the Japanese. Therefore, this measure cannot be described only as bad." ("The Archetype of Preposterous Remarks," Takasaki Soji, p. 255)

In July of 1982, Director of Japan's Agency of Land Administration Matsuno said "south Korea also seems to consider 'Korea's annexation to Japan,' as an act of Japan's aggression. But, I do not think neither side can claim it is right in its argument, in view of some domestic situation that prevailed in Korea at the time of the 'annexation.'" ("Asahi Shimbun," July 24, 1982)

In August of 1986, Japan's Minister of Education and Culture Fujio blared that "the world history is a history of aggression and war. The wrong outlook on history that only Japan has committed aggression should be corrected." ("Kyodo News Service," Tokyo, August 12, 1986), and in September of the same year he further said that "'Korea's annexation to Japan' came about on the basis of an 'agreement' at the endof the negotiations between Hirobumi Ito representing Japan and Emperor Kojong presenting Korea. And, in terms of formalities and facts, the 'annexation' was 'effected' under the 'agreement' between the two countries." ("Asahi Simbun," September 6, 1986)

Last October, a Japanese cabinet member described Japan's past actions against Korea as "legal" actions other than aggression when he said that, "as for China, there was an act of aggression on that country, and Japan ruled the Korean peninsula as its colony," thus distinguishing aggression from colony.("Radio Japan NHK," October 24, 1994)

In June this year, a Japanese politician denied Japan's aggression and military occupation of Korea, alleging that "Japan had ruled Korea for 36 years, but nowhere can we find any phrase 'colonial rule.' Our government's position is that the 'annexation' is an internationally legal action. They refer to this as the 'colonial rule,' but the Diet stands against it from a legal point of view. The 'annexation treaty' was concluded on the premise that it was an impeccably written international 'treaty.' Even if they describe it as the 'colonialist policy,' 'annexation' does not mean the status of 'colony' and the 'treaty' was 'concluded' to perfection, but not by force of arms." ("Asahi Shimbun," June 5, 1995)

Such outrageous remarks have so grown in intensity that even the Prime Ministers of Japan openly said that the past history of Japan's aggression "should be left to the historians of the next generations for their assessment," and that "truth can be verified after the elapse of more or less than a centenary, not just five decades."

This is what is called the "peace resolution" which Japan has allegedly advocated throughout the post-War period.

This "resolution" found its way to the Diet which, in turn, passed a "no war resolution" that carries no phrase at all similar to apology but a bizarre phrase "transcending differences in the outlook on history."

Japan's attitude of denying its past history of aggression only serves to reveal militarist Japan's congenital predisposition and political endemism, which is, needless to say, characterized by its ambition for aggression.

To put it simply, all these arguments mean that Japan will move again towards aggression when the time is right.

However, it is the law-governed principle that history develops according to its own natural law. Disregard of this will only lead to anachronism.

No matter how bombastically Japan may advertize its call for "world peace and security" and its "international contribution," it will never go down with the Korean people and other Asian peoples who were directly victimized by the Japanese imperialist aggression, as long as Japan refuses to face up squarely to the history, keeps glorifying and embellishing its past and dodging its responsibility for making a clean slate of its past.

For Japan, a way out of this is clear. Japan must honestly reflect upon his past in a soul-searching manner, make a heartfelt apology and make a clean slate of its past unequivocally, thus gaining the confidence of the Korean people and other Asian peoples. This is the political and moral obligation that the government, politicians and people of Japan must fulfill today before history.

If Japan continues shirking its own historical responsibility and pursuing its unchanged course, Japan will never be able forever to throw off its current status of a "political dwarf."